

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION**

IN RE:**CASE NO.: 10-02562-8-SWH**

**GARON LEE REEVES
DIANE LINDSEY REEVES**

CHAPTER 7**DEBTORS**

**NOTICE OF PROPOSED PUBLIC SALE OF REAL PROPERTY
AND PROPOSED COMPENSATION TO AUCTIONEER**

NOTICE IS HEREBY GIVEN per Bankruptcy Rules 2002(a), 6004 and 6007 and 11 U.S.C. §363, of the public sale of real property located at 425 Chelton Oaks Place, Raleigh, North Carolina (the “Property”), being the residence of Garon Lee Reeves and Diane Lindsey Reeves (the “Debtors”), at public auction on **Thursday, September 15, 2011 at 10:00 a.m. or shortly thereafter onsite at the Property in Raleigh, NC**, or at such alternative time as may later be noticed or then stated. The sale shall be conducted pursuant to the relief granted by the Court upon the motion filed in this case by the Chapter 7 trustee (the “Motion for Sale”, DE #36) and relief allowed thereon per the Order entered March 8, 2011 (the “Order”, DE # 56). Pursuant to the Order, the Chapter 7 trustee was authorized to proceed with a sale of the Property free and clear of all liens and claims (except ad valorem taxes), with the valid and perfected liens and claims to transfer to the sale proceeds in their relative order of priority pursuant to 11 USC § 363(f); provided, however, that (A) the Property shall be sold subject to all ad valorem taxes and the buyer shall be responsible for the same and (B) the net sale proceeds otherwise due the IRS on its second lien shall be subject to a carve out of thirty percent (30%) to the bankruptcy estate, such amount to be earmarked for payment first of the administrative claims as may later be allowed with the balance to be paid on a pro rata basis to unsecured creditors in the case, including priority claim creditors other than the IRS. Any offer is subject first to approval by the Chapter 7 trustee and then subsequent sale confirmation by the Bankruptcy Court.

FURTHER NOTICE IS HEREBY GIVEN that based upon a review of the Debtors’ petition schedules, the amount and seniority of liens against the Property are as follows:

Lienholder	Amount
City of Raleigh and Wake County	(sold subject to ad valorem taxes)
Wells Fargo Mortgage	\$195,516.00
U.S. Internal Revenue Service	\$367,998.60
N.C. Department of Revenue	\$ 50,000.00

FURTHER NOTICE IS HEREBY GIVEN that by separate filing employment is sought by the bankruptcy estate of Mr. Mike Gurkins with Country Boys Auction and Realty as the auctioneer for the contemplated sale (the “Auctioneer”) with a proposed commission rate for real estate sales of 10% of the first \$25,000.00s and 4% of any exceeding sale balance, such amount to

be paid from closing proceeds ahead of and assessed against all secured claims upon sale approval.

The stated scale includes all expenses normally associated with advertising and conducting a sale such as newspaper and electronic media ads and posting, printed fliers, postage for mailings and signage, but does not include out of pocket additional expenses such as hauling, repairs, locksmiths, and expenses incurred for preserving the Property, reimbursement for such additional amounts being the subject of subsequent request for recovery.

DATED: July 19, 2011

s/Joseph N. Callaway

Joseph N. Callaway

State Bar No. 10821

Chapter 7 Trustee

Post Office Box 7100

Rocky Mount, NC 27804-0100

Telephone: (252) 937-2200

CERTIFICATE OF SERVICE

The undersigned does hereby certify that on the 19th day of July, 2011, she prepared and caused service of the document to which this certificate is attached:

Notice of Proposed Public Sale of Real Property and Compensation to Auctioneer

by depositing a copy thereof postpaid in a post office or official depository under the exclusive care and custody of the United States Postal Service, in a wrapper, addressed to each of the following parties of interest in this action at the following last known addresses:

Ms. Marjorie K. Lynch Bankruptcy Administrator Eastern District of North Carolina Post Office Box 3758 Wilson, NC 27895-3758	William E. Brewer, Jr. The Brewer Law Firm 311 East Edenton Street Post Office Box 27567 Raleigh, NC 27611-7567
Garon Lee Reeves Diane Lindsey Reeves 1425 Chelton Oaks Place Raleigh, NC 27614	Internal Revenue Service Attn: Special Procedures Staff 320 Federal Place Greensboro, NC 27402
Internal Revenue Service Attn: Bankruptcy Services Post Office Box 7346 Philadelphia, PA 19101-7346	Wells Fargo Home Mortgage., Inc. Attn: Managing Agent PO Box 10388 Des Moines, IA 50306 (certified mail)
R.A. Renfer, Jr. U.S. Attorney's Office 310 New Bern Ave., Suite 800 Federal Building Raleigh, NC 27601-1461	See Attached Creditor Matrix

s/Rebecca M. Weaver

Post Office Box 7100
Rocky Mount, NC 27804-0100
Telephone: (252) 937-2200

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

(p)WACHOVIA BANK NA
PO BOX 13765
ROANOKE VA 24037-3765

Absolute Collection Service
Attn: Managing Agent
421 Fayetteville St. Suite 600
Raleigh, NC 27601-1777

American Express
Attn: Managing Agent
P.O. Box 650448
Dallas, TX 75265-0448

American Express Bank FSB
c/o Becket and Lee LLP
POB 3001
Malvern PA 19355-0701

ARM
Attn: Managing Agent
PO Box 129
Thorofare, NJ 08086-0129

Bank of America
NC4-105-03-14 BK Unit
PO Box 26012
Greensboro, NC 27420-6012

Capital One
Attn: Managing Agent
PO Box 70886
Charlotte, NC 28272-0886

Chase - Cardmember Service
Attn: Managing Agent
P.O. Box 15153
Wilmington, DE 19886-5153

Chase Bank USA, N.A.
PO Box 15145
Wilmington, DE 19850-5145

Credit Collection Services
Attn: Managing agent
Two Wells Road, Dept 773
Newton Center, MA 02459-3208

GE Money Bank
Attn: Bankruptcy Dept.
P.O. Box 103104
Roswell, GA 30076-9104

GE Money Bank
c/o Recovery Management Systems Corporat
25 SE 2nd Ave Suite 1120
Miami FL 33131-1605

I.C. System, Inc.
Attn: Managing Agent
PO Box 64437
St. Paul, MN 55164-0437

LDG Financial
Attn: Managing Agent
7001 Peachtree Industrial Blvd.
Norcross, GA 30092-3673

Leading Edge Recovery
Attn: Managing Agent
5440 N. Cumberland Avenue, #300
Chicago, IL 60656-1486

Mann Bracken, LLC
One Paces West, Suite 1400
2727 Paces Ferry Road
Atlanta, GA 30339-4053

NC Dept. of Revenue
Attn: Bankruptcy Unit
PO Box 1168
Raleigh, NC 27602-1168

O2 Fitness
c/o J.L. Walston & Associates
1530 N. Gregston Street
Durham, NC 27701-1155

R. A. Renfer Jr.
Asst. U.S. Attorney/Chief Civil Division
310 New Bern Ave., Ste 800, Federal Bldg
Raleigh, NC 27601-1461

RMS
Attn: Managing Agent
240 Emery Street
Lehigh Valley, PA 18002

Sears
Attn: Managing Agent
P.O. Box 6283
Sioux Falls, SD 57117-6283

Sunrise Credit
Attn: Managing Agent
P.O. Box 9100
Farmingdale, NY 11735-9100

Talbots
Attn: Managing Agent
4 Blackstone Valley Place
Lincoln, RI 02865-1105

Talbots
c/o Creditors Bankruptcy Service
P O Box 740933
Dallas,Tx 75374-0933

USAA Federal Savings Bank
Attn: Managing Agent
10750 McDermott Freeway
San Antonio, TX 78288-1600

Wake Medical Center
Attn: Managing Agent
PO Box 14465
Raleigh NC 27620-4465

WakeMed
PO Box 29516
Raleigh NC 27626-0516

Wells Fargo Bank, N. A.
P.O. Box 13765-R4057-01P
Roanoke, Va. 24037-3765